

McGREGOR W. SCOTT
United States Attorney
MARK J. McKEON
MARIANNE A. PANSA
Assistant U.S. Attorneys
4401 Federal Building
2500 Tulare Street
Fresno, California 93721
Telephone (559) 497-4000

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO.: CR 1:01-cr-5359 AWI
)	
Plaintiff,)	
)	STIPULATION AND ORDER
v.)	RESCHEDULING TRIAL AND MOTIONS
)	IN LIMINE
STEVEN M. GROTE)	
)	
Defendant.)	
)	

The parties, through their respective counsel, agree upon the following facts:

1. This case is currently set for trial on March 27, 2007. However, one of government counsel had a trial that recently resulted in a hung jury that is set for re-trial on March 12, 2007. Due to some discovery issues, the government will be requesting that this re-trial be reset for the end of March 2007, putting it even closer to the trial date for the present case. The second government counsel has a trial that is currently set for April 3, 2007. This trial date is expected to hold firm.

2. In addition, the parties are attempting to set up meetings between defense counsel and the government attorneys to discuss possible resolution of the case. Because of the complexity of the

1 case, these meetings take considerable preparation. If successful,
2 however, these meetings could result in a resolution of this case
3 without trial.

4 3. The defendant is not in custody, and he does not object to
5 the request that the trial date be reset.

6 4. The defendant's attorney has indicated that he has trials
7 double set throughout April, May and June. The parties agree that
8 this case should be set for trial on July 9, 2007.

9 5. In addition, because of the complexity of the case and the
10 trial schedules of both parties, the parties agree that they need
11 additional time for effective preparation of this case for trial.

12 Therefore, the parties agree that the Court can issue the
13 following order:

14 1. The Jury Trial, presently scheduled for March 27, 2007,
15 shall be rescheduled for July 9, 2007, at 9:00 a.m.

16 2. The hearing to consider motions and the trial
17 confirmation hearing, presently scheduled for March 12,
18 2007 shall be rescheduled for June 25, 2007.

19 3. All motions in limine, with supporting points and
20 authorities, shall be filed and served by 4:00 p.m. on
21 May 29, 2007.

22 4. Opposition to any motion in limine shall be filed and
23 served by 4:00 p.m. on June 11, 2007.

24 5. Replies to any opposition shall be filed and served by
25 4:00 p.m. on June 18, 2007.

26 6. Pre-trial filings required by the Pre-Trial
27 Order—including witness lists, trial briefs, exhibits,
28 proposed voir dire questions, notice of the use of

videotape and computers, and the agreed summary of the case—presently due on March 22, 2006, shall be filed by 4:00 p.m. on July 5, 2007.

7. Time shall be excluded until July 9, 2007, in the interests of justice pursuant to 18 U.S.C. §3161(h) (8) (A).

Dated: February 15, 2007

McGREGOR W. SCOTT
United States Attorney

/s/ Mark J. McKeon

MARK J. McKEON
Assistant U.S. Attorney

Dated: February 15, 2007

Wild, Carter & Tipton

/s/ Steven E. Paganetti

STEVEN E. PAGANETTI
Attorneys for Defendant,
Steven M. Grote

ORDER

IT IS SO ORDERED except that the Jury Trial date shall be reschedule to Tuesday, July 10, 2007 at 8:30 a.m.

IT IS SO ORDERED.

Dated: February 20, 2007
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE